TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS AND PARTICIPATING TERRITORIES

Announcing availability online for each CCM of their draft CMR

Dear All,

I am pleased to advise that the Secretariat has completed the draft Compliance Monitoring Reports (draft CMR) for all Members, Cooperating Non-Members and Participating Territories (CCM) and these are now available online. The reports were prepared in accordance with paragraphs 3, 4, 22 and 23 of the *Conservation and Management Measure for Compliance Monitoring Scheme* (CMM 2015-07). They also had due consideration of the relevant Commission decisions, including in particular the list of obligations for CMR review in 2016 (refer to Attachment O to WCPFC12 Summary Report).

Each CCM may review its draft CMR through the WCPFC intranet site, which is accessed using the usual country-specific CCM login that was used to complete the online Annual Report Part 2.

The process to review and finalise these reports remains mostly unchanged from last year. CCMs are to access their draft CMR through the online facility and include responses to potential issues highlighted in the draft CMR. This year CCMs may, as appropriate, submit details in their responses to potential issues related to a Capacity Development Plan (CMM 2015-07 para 5-7) and/or Investigation Status Report (CMM 2015-07 para 8-11). A guide has been provided to assist CCMs access their draft CMR through the online facility and how to respond to potential issues highlighted in the draft CMR (see **Attachment 1**).

CCMs are asked to refer to Circular 2016/14 which advised of the Compliance Case file system for online alleged infringements relevant to the Compliance Monitoring Scheme. The case file system presently includes alleged infringements as reported by observers. Alleged infringements reported as Convention Article 25(2) matters will be available soon. CCMs are encouraged to use this system to submit reports on investigation up until

the conclusion of the investigation and where applicable, any relevant Investigation Status Reports can also be attached (CMM 2015-07 para 8-11).

The Secretariat has posted copies of relevant supporting documentation for key reporting gaps highlighted in the draft CMR on the secure side of the WCPFC website (https://www.wcpfc.int/ccm). These are secure pages that each CCM can view only its own CCM Portal Pages. Information on these pages will be updated from time to time.

Should any CCM have problems or questions regarding access and review of their CMR or the Compliance Case File System, please do not hesitate to contact the Compliance Manager, Dr Lara Manarangi-Trott on lara.manarangi-trott@wcpfc.int and Assistant Compliance Manager, Ms 'Ana Taholo on ana.taholo@wcpfc.int . Although there is no formal "submission" button for CCMs to provide their replies to draft CMRs, we ask that CCMs kindly advise the Secretariat when their feedback and comments can be taken as completed. In order to complete the draft full Report within the required timeframes, CCMs are required to provide their responses to their draft reports by no later than close of business in Pohnpei, Federated States of Micronesia on **Wednesday 24 August 2016** for those responses to be considered for inclusion in the final draft full Report.

I wish to thank all CCMs for their contribution and support to the Secretariat in progressing the CMR to this stage. Your continued support and cooperation is highly appreciated

Yours sincerely,

Feleti Penitala Teo, **OBE**
EXECUTIVE DIRECTOR

Attachment 1: Quick Guide

Online CMR and Potential Issues (2015) – QUICK GUIDE
V1.0 (updated July 2016)

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AS STATED IN CMM 2015-07 PARAGRAPH 23, THIS LIST WILL BE LEFT AVAILABLE FOR RELEVANT CCMs TO SUBMIT INFORMATION UNTIL END OF DAY ON **24 AUGUST 2016 – 28 DAYS PRIOR TO TCC**

IF CCMs DO COMPLETE THEIR ADDITIONAL INFORMATION SUBMISSIONS EARLIER THAN 24 AUGUST, THE SECRETARIAT WOULD APPRECIATE BEING ADVISED BY EMAIL THAT WE CAN TAKE THE INFORMATION AS COMPLETE. THIS WAY THE ADDITIONAL INFORMATION CAN BE INCORPORATED INTO THE FULL DRAFT COMPLIANCE MONITORING REPORT IN A TIMELY MANNER FOR TCC12

Section 1   Connecting Online

- Connection to the WCPFC Intranet is required and following these steps will do that:
    - Connect PC computer to the internet
    - Open your favorite browser such as Internet Explorer, Chrome, Safari or Firefox.
    - Enter https://intra.wcpfc.int
    - You will be asked to log on to the WCPFC "Application and Network Access Portal". Please use your cmr login information (username and password to login), as shown below. Remember that **wcpfc** is required for the Username:

- Successful login takes you to the **WCPFC Intranet Home Page**. On the right-hand side of the screen you will find the heading **Compliance Monitoring Scheme** (see **red** circle). There are now seven (7) lists/parts that make up this year's Annual Report Part 2 and Compliance Monitoring Report:
    - Addressing CMR-2014 Issues
    - Annual Reports Part 2 (2015)
    - MTU Audit Inspections
    - 01-July-2015 Reporting Deadline Checklist
    - Compliance Monitoring Reports (2015)
    - CMR Potential Issues (2015)

Section 2 Viewing draft Compliance Monitoring Report (dCMR)

Each CCMs can view only its own draft Compliance Monitoring Report. Use the following procedure to view the report:

- From the **WCPFC Intranet Home Page**, click on **Compliance Monitoring Report (2015)** link, it will take you to the page which displays the report. The first view that you will see is the 'Group by Section' view which displays the report grouped into seven sections that comprise the CMR:

- You can expand each section further to get to individual CMM's (obligations):

- You can also change the view by clicking on 'Print View' button:

- In 'Print View' all CMR sections are already expanded and you can view and scroll through records that represent individual CMM's (obligations)

Section 3 Viewing 'CMR Potential Issues', providing Additional Information, Capacity Development Plan and/or Investigation Status Report

Applicability: Each CCM whose draft Compliance Monitoring Report has one or more 'Potential issue' identified can view these potential issues and provide additional information using the online interface.

- From the **WCPFC Intranet Home Page**, click on **CMR Potential Issues (2015)** link, it will take you to the page showing the list of potential issues. You will be able to see and to provide additional information only for your own potential issues (in other words, you have no access to other CCM's potential issues):
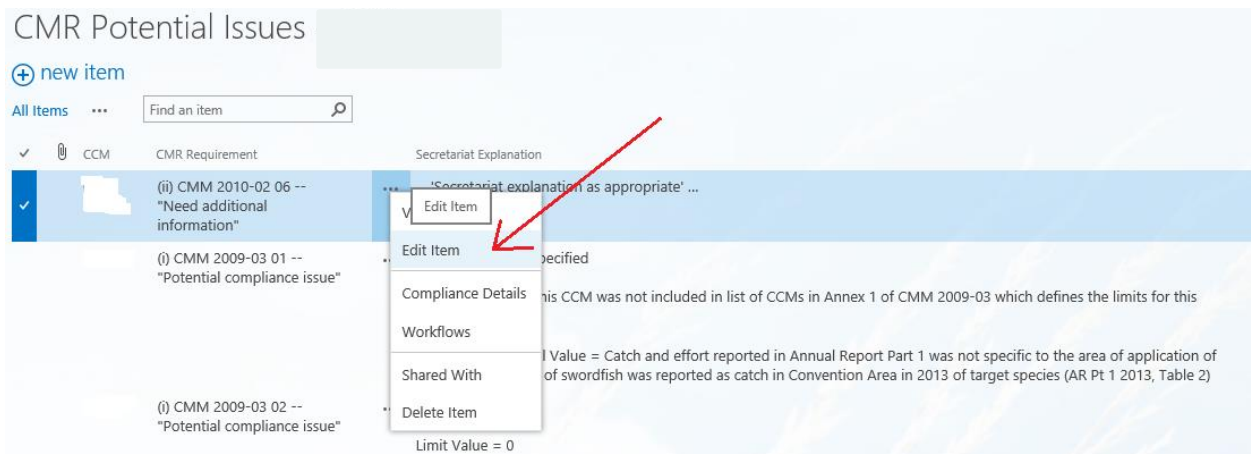

In order to provide Additional Information for a particular CMM where potential issue was identified, follow the procedure below.

- Click on the three dots (…) next to the CMR Requirement column for the CCM you wish to provide additional information; then click on **Edit Item**, as shown below

- A pop-up form will open, as shown below:

- On the above form, there are three text box fields named 'CCM Additional Information', 'Capacity Development Plan' and 'Investigation Status Report'. Use these fields to provide any information as applicable and as relevant to a particular obligation ('CMR Requirement'). You can also attach any additional supporting documentations, as needed.
- Once you have entered all the relevant information, click on **Save** button to save the record. You will see that the information you provided is now inserted as appropriate:

- If needed, you can change and/or amend information already entered simply by following the above procedure (i.e. click on three dots first, then click 'Edit', etc.)

Submitting Capacity Development Plan (CMM 2015-07 para 5 – 7)

CCMs that wish to identify capacity assistance need in response to potential issues should include a note to that effect in the text box 'Capacity Development Plan'. You can also attach any additional supporting documentations, as needed.

Those CCMs intending to be assessed as "Capacity Assistance Needed" for a particular obligation ('CMR Requirement') by TCC are encouraged to closely review paragraph 5 of CMM 2015-07. For ease of reference the paragraph is reproduced here:

Notwithstanding paragraph 3, where a SIDS or Participating Territory, or Indonesia or the Philippines cannot meet a particular obligation that is being assessed, due to a lack of capacity[1], that CCM shall provide a Capacity Development Plan to the Secretariat with their draft Compliance Monitoring Report (dCMR), that:

    (i)   *clearly identifies and explains what is preventing that CCM from meeting that obligation;*

    (ii)   *identifies the capacity building assistance needed to allow that CCM to meet that obligation;*

    (iii)   *estimates the costs and/or technical resources associated with such assistance, including, if possible, funding and technical assistance sources where necessary;*

    (iv)   *sets out an anticipated timeframe in which, if the identified assistance needs are provided, that CCM will be able to meet that obligation.*

The CCM may work together with the Secretariat to draft the Capacity Development Plan. This plan shall be attached to that CCM's comments to the dCMR.

Submitting Investigation Status Report (CMM 2015-07 para 8 – 13)

CCMs will find pertinent details of any relevant alleged infringements requiring investigation by the relevant flag CCM in the online Compliance Case file system (see Section 4 Managing Compliance Cases online). CCMs were advised in Circular 2016/14 of the Compliance Case file system for online alleged infringements relevant to the Compliance Monitoring Scheme. The case file system presently includes alleged infringements as reported by observers. Alleged infringements reported as Convention Article 25(2) matters and Shark Catch Alleged infringements will be available soon. **CCMs are encouraged to use the Compliance Case system to submit reports on investigation up until the conclusion of the investigation and where applicable, any relevant Investigation Status Reports can also be attached (CMM 2015-07 para 8-11).**

CCMs that cannot complete an investigation prior to TCC should also include a note to that effect in the text box 'Investigation Status Report' for the relevant obligation ('CMR Requirement'). You can also attach any additional supporting documentations, as needed.

Those CCMs intending to be assessed as "Flag State Investigation" for a particular obligation ('CMR Requirement') by TCC are encouraged to closely review paragraph 8 of CMM 2015-07. For ease of reference the paragraph is reproduced here:

8.   Where a CCM cannot complete an investigation prior to TCC, that CCM shall provide a Status Report to the Secretariat with the dCMR, that:

(i)   describes the steps that have been taken to commence the investigation;

(ii)   describes the process that CCM will take to complete the investigation, within their relevant national processes and laws;

(iii)   describes, to the extent possible, actions proposed to be taken in relation to the alleged violation;

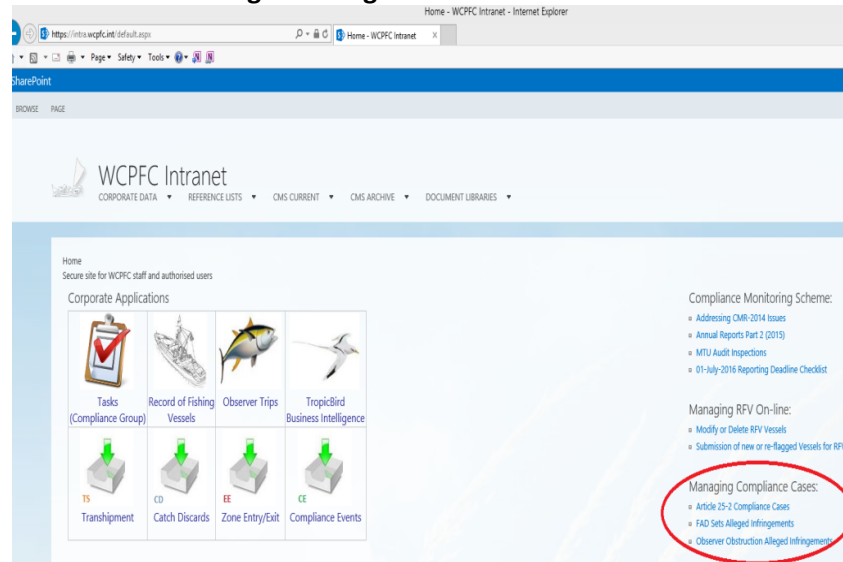*(iv)   sets out an anticipated timeframe in the Status Report*

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[1] Any CCM may identify a capacity assistance need through the CMS process; however, the application of paragraphs 5 - 7 is limited to those CCMs identified in the paragraph.

Section 4 Managing Compliance Cases Online

On the right side of the screen, below the WCPFC logo, you will find the heading **Managing Compliance Cases** (see **red** circle). There are currently (4) lists under this heading:

- **Article 25-2 Compliance Cases**
- **FAD Sets Alleged Infringements**
- **Observer Obstruction Alleged Infringements**
- **Shark Catch Alleged Infringements**

Explanatory notes for the 4 lists

- **Article 25-2 Compliance Cases **NEW****
  Contain any alleged infringements (other than FAD sets and observer obstruction) in which a flag State investigation has been requested, in accordance with Article 25(2) of the Convention.

- **FAD Sets Alleged infringements**
  Contain alleged infringements, related to setting on FADs during the FAD closure period, identified in the observer reports.

- **Observer Obstruction Alleged Infringements**
  Contain alleged infringements, related to observer obstruction, identified in the observer reports.

- **Shark Catch Alleged Infringements **NEW****
  Contain alleged infringements, related to shark finning or prohibition to retain silky shark or oceanic white-tip sharks
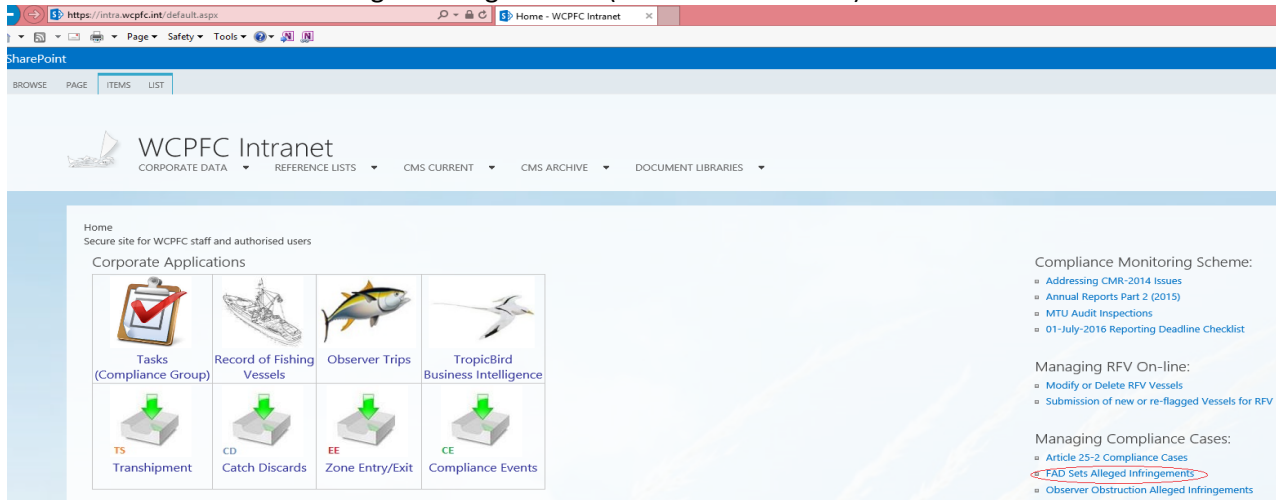
Note: The first release of information in April 2016 (advised in Circular No.: 2016/14) related to the last two lists (FAD Sets Alleged Increments and Observer Obstruction Alleged Infringements). During July 2016, the Secretariat has updated the system with the latest data from SPC-OFP. The Secretariat is currently completing the updating of the system with Article 25(2) matters and has included a new list related to shark catch alleged infringements that have been referenced by the Secretariat in the preparation of draft CMRs covering 2015 year.

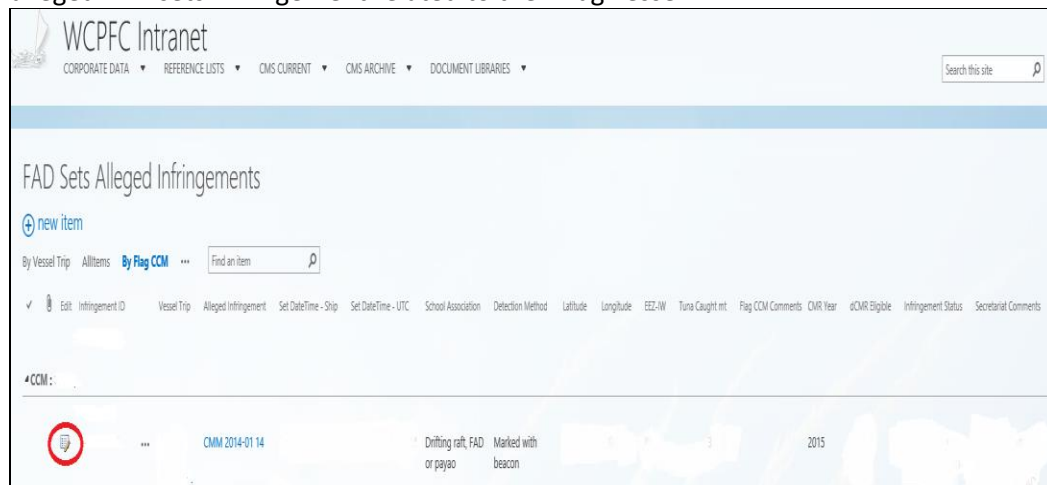### *Guidance for completing any of the four lists using FAD Sets Alleged Infringements list as an example*

The process on how to provide response/s to the alleged infringements is similar for all three lists. As such, the explanation hereunder relating to the "FAD Sets Alleged Infringements" is relevant to any of the alleged infringements that are under the "Article 25-2 Compliance Cases" and the "Observer Obstruction Alleged Infringements".

FAD Sets Alleged Infringements

- Click on "FAD Sets Alleged Infringements" (see red circle below).

- This will take you to the FAD Sets Alleged Infringements window below. If there is any alleged FAD sets infringement related to your flag vessels reported by observers, these will be listed in the window shown below. Otherwise, there will be blank/nothing for CCMs who did not have any alleged FAD sets infringement related to their flag vessel

- To provide responses to any of the alleged infringements, click on the icon shown in red circle in the window above. A window such as below will come up. Flag CCMs can provide comments in the text box title "Flag CCM Comments" and attach any attachments (circle in green) related to that particular infringement.

- You can click on any of the fields with hyperlinks (circle in red) for more details. Clicking on the field:
  - o Infringement ID – will give you same screen as above
  - o Vessel Trip – will give you a window with the vessel name, flag CCM, trip start and end date, observer provider and trip number
  - o Alleged infringement (eg. 2014-01 14) – will give you window with the language of that particular obligation/CMM paragraph

- Flag CCM can enter multiple responses/progress reports, online, related to any of the alleged infringement as it conducts investigation. The system will track the responses provided by the flag CCM during the life of the alleged infringement. To provide another response/update to a particular alleged infringement, simply repeat the steps above.

- CCMs are encouraged to use the compliance case system to submit reports on investigation up until the conclusion of the investigation and where applicable, any relevant **Investigation Status Reports can also be attached (CMM 2015-07 para 8-11)**.

- CCMs that cannot complete an investigation prior to TCC should include a note to that effect in the text box 'Investigation Status Report' for the relevant obligation ('CMR Requirement'). You can also attach any additional supporting documentations, as needed.   ---